

That is the first of two divisive bills that are coming up next week, which will absolutely fail in this body and should fail in this body. There is a second bill that I understand is coming up next week, as well, and it is called the Equality Act.

Now, I will tell you that it is a great name, and I don't know of anyone on my side of the aisle or on the other side of the aisle who opposes equality. I will state frankly that no person should be discriminated against in America—no person. It is a basic constitutional principle: We are all equal under the law—all of us. We have different ideas about music and food. We have different ideas about sexuality. We have different ideas about occupations. We have different skin colors. We have different faiths. We are a tapestry, and that is one of the things that makes us strong in such a perfect way as to build a more perfect Union. I believe that every person should be protected from discrimination in America, but that does mean every person.

Today, the Supreme Court ruled 9 to 0—9 to 0 in the Supreme Court—that Catholic Social Services in Philadelphia was being discriminated against by the city of Philadelphia because the city of Philadelphia said to Catholic Social Services: You cannot practice your Catholic faith in foster services.

Now, what is the story?

There have been Catholic services in Philadelphia since the 1700s. For the last 50 years, Catholic Social Services in Philadelphia, this particular organization, has served the neediest children in that area by providing foster services and placement for them. They are a religious organization, a faith-based organization—a Catholic organization—and they believe that God created man and woman and that this is God's design for marriage. So, in their placement of foster children, they place children in homes where there is a man and a woman who are present in marriage because of their profound belief.

There are 20 other foster services in Philadelphia that place foster children in any family situation: husband and wife or two men or two women. There are 20 of those services in Philadelphia, but the city of Philadelphia went to Catholic Social Services and said: You have to be like the other 20. You cannot practice your faith.

Even though, literally, Catholic Social Services had never had a gay family reach out to them for an adoption placement—they had gone to other places—the city of Philadelphia said: No, you have to change your practice.

Unfortunately, Catholic Social Services had to argue for their religious freedom all the way to the Supreme Court, and, today, they ruled 9 to 0 that a faith-based institution cannot be discriminated against because of their faith. They should be able to live out the tenets of their faith and be able to practice them. To me, that is a great decision to make—to say: Why

can't we coexist? Why can't we honor everyone in their differences of opinion?

Even the Supreme Court stated today, in its opinion, that there was no work from Catholic Social Services to stop gay marriages in Philadelphia or to stop couples from fostering children who are gay couples there. They just chose not to do it based on their faith. So they were not working against individuals. They were practicing their faith.

Now comes the Equality Act vote next week. The Equality Act would, for the first time ever in this Congress, take away the Religious Freedom Restoration Act in statute—it would remove it—and say there could be no protection for religious institutions. This is a direct shot against the Supreme Court, in its 9 to 0 decision today, which said: No, religious institutions have to be protected in their decisions.

Why can't both exist? Why do we have to get into a situation, as the Equality Act does, that says, if you don't agree with one particular expression, then you have to be canceled? that you have to be silenced? Why has it come to this in America?

The way the Equality Act is written is, with regard to any faith-based institution, if they did any public, outward-facing work at all—if they fed the homeless, which many do; if they provided clothing; if they took care of individuals with food who needed it—that was considered to be of public accommodation, their labor laws, even if they were religious institutions, had to be exactly like large corporate labor rules as well. It literally imposes on religious institutions that you can be a private entity and be inward facing, but if you are going to do your mission to actually serve the needy, then you have to actually shift to be like corporate America. That is not providing opportunities for people of faith to live their faiths.

I have to tell you that I honor people of faith—people of different faiths, people of faiths that I disagree with. The nature of religious liberty in our country is to be able to honor people of different faiths. That is also what the Supreme Court reaffirmed today directly in contradiction to the Equality Act. Clearly, if this were to pass—and I do not believe it will—the Supreme Court would hear it immediately, would align with this case from today, and would say: We have already ruled on these issues 9 to 0—that is, against not allowing people to be able to live their faiths.

Unfortunately, there are some in this body who not only vehemently disagree with the Supreme Court and with the opportunity for people to be able to live their faiths, but they are willing to do it in the most pejorative of terms.

When I spoke against the Equality Act in the Judiciary Committee, just weeks ago, and shared the issues that I had that were pragmatic labor issues and set those in front of it and also did

a challenge on a religious liberty issue and said, "Here are the obvious issues of religious liberty where I think it is unconstitutional," the response I got from a member of the Judiciary Committee was, This reminds me of the Ku Klux Klan, who burned crosses and used religious symbols to hide behind their bigotry.

The Supreme Court disagreed with that today and said: We are the United States of America. We honor people of faith to be able to live their faiths. We honor people who don't have faith or have differences in their faiths and choose to be able to live that out. This body should not try to cancel out every group of faith in the country that disagrees with people in this body who say: You cannot practice your faith if we tell you no. That is not who we are.

The Equality Act is not about equality. It is about imposing and prohibiting disagreements. We are Americans. We can respect each other and disagree. We can live next-door to each other and disagree. Let's prove it in this body by not passing the poorly named Equality Act but by actually demonstrating what this act says it wants to demonstrate. Let's treat each other with respect in our differences and honor us in that.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 149.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Christopher Charles Fonzone, of Pennsylvania, to be General Counsel of the Office of the Director of National Intelligence.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 149, Christopher Charles Fonzone, of Pennsylvania, to be General Counsel of the Office of the Director of National Intelligence.

Charles E. Schumer, Robert Menendez, Tina Smith, Martin Heinrich, Jacky Rosen, Sheldon Whitehouse, Richard J. Durbin, Tammy Baldwin, Debbie Stabenow, Sherrod Brown, Edward J. Markey, Brian Schatz, Ron Wyden, Elizabeth Warren, Mark R. Warner, Raphael Warnock, Benjamin L. Cardin.